

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

BRIAN FANKS,

Plaintiff,

v.

CITY OF NEW ROCHELLE,

Defendant.

No. 24-CV-539 (KMK)

ORDER

KENNETH M. KARAS, United States District Judge:

The Court writes to notify Plaintiff that this Action, which he initially filed in New York State Supreme Court, has been removed to federal court. (*See* Not. of Removal (Dkt. No. 1).) In broad strokes, “removal” is a process that allows defendants to move a case from state to federal court if the plaintiff could have sued in federal court in the first instance. *See* 28 U.S.C. § 1441.

In reviewing the Complaint, the Court sees that Plaintiff named the City of New Rochelle as the sole defendant. (*See* Compl. 1.) But the Court also notes that the Complaint makes allegations about an individual, Joseph Wassner, who is apparently a New Rochelle police officer, and two other John Doe officers who assisted him. (*Id.* at 4.) If Plaintiff intended to sue those individuals, he should file a letter with a request to amend his Complaint to add those defendants. If Plaintiff does not respond by February 26, 2024, the Court will deem the Complaint the operative pleading.

Conclusion

The Clerk of Court is respectfully directed to mail a copy of this Order and the Notice of Removal, (Dkt. No. 1), to Plaintiff at the address listed on the docket.

SO ORDERED.

Dated: January 26, 2024
White Plains, New York

A handwritten signature in black ink, appearing to read 'K. Karas', written over a horizontal line.

KENNETH M. KARAS
United States District Judge